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June 8, 2021

VIA ECF

Hon. Brian M. Cogan, U.S.D.J.

United States District Court for the Eastern District of New York

225 Cadman Plaza East

Chambers 704S

Brooklyn, New York 11201

Re: Munoz v. 640, LLC

Civil Action No.: 1:19-cv-5751-BMC

Dear Judge Cogan:

This is an automobile negligence personal injury case involving three (3) Plaintiffs. This firm represents Defendants and the matter is scheduled for a Pretrial Conference on June 29, 2021 - the second scheduled date. On April 7, 2021, Plaintiff's counsel, Zachary Rozenberg, Esq., and I submitted a joint request to adjourn the Pretrial Conference for sixty (60) days due to my spine specialist expert's, Dr. Jeffrey Klein, delay in providing me with his reports for all three Plaintiffs. Your Honor granted our request and the conference was rescheduled to June 29, 2021. Unfortunately, Dr. Klein has not yet provided me with the reports. I have been in constant communication with him since then and he has told me the delay is due to a dramatic increase in his spinal surgery schedule since COVID-19 vaccinations began. I have discussed with him our court schedule and Your Honor's previous accommodation, but his schedule has continued to be overloaded which is causing the delay in finishing the reports. Today, Dr. Klein advised he should be able to provide them in the next two weeks.

I have conferred with Plaintiff's counsel, Zachary Rozenberg, Esq., and we are respectfully submitting this correspondence as a joint request to adjourn the Pretrial Conference for sixty (60) days. Mr. Rozenberg and I have been working very amicably together and have commenced with settlement discussions. We have agreed to mediation once Dr. Klein's reports are received. My clients' insurance company has begun its evaluation of the case. However, Dr. Klein's reports are the last piece of the puzzle and my client cannot complete its evaluation until they are received. The parties will not be deposing the experts, it will be a simple exchange of

reports. Once that happens, my client needs 30 days to complete its evaluation and obtain settlement authority due to the complex nature of the Plaintiffs' injuries and treatment. We are hopeful to mediate sometime in August.

Because we are hopeful in settling this matter, we respectfully do not want to waste the court's time with pretrial preparation when it may not be necessary.

To that end, we are respectfully requesting a sixty (60) day adjournment of the Pretrial Conference. On a personal note, I am scheduled for a family vacation from August 23rd to September 11th. To the extent Your Honor grants our adjournment request, I respectfully request it to be after September 11th.

Thank you for Your Honor's consideration.

Respectfully submitted,

Todd A. Rossman

Todd A. Rossman

cc: Zachary Rozenberg, Esq. – via ECF